

Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G NJSP
PO Box 861 Trenton, NJ 08625

August 16, 2024

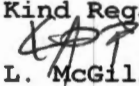
Clerk, US Dist. Ct. - DNJ
US Courthouse
4th and Cooper Streets
Camden, NJ 08101-2797

RE: Caleb L. McGillvary v. Nicholas Scutari et al
Civil Action No. 1:23-cv-26605-JMY
Hon. John Milton Young, U.S.D.J.

Dear Clerk;

Please find enclosed and file onto the docket the original of my letter to Judge Young withdrawing ECF 7 & ECF 87; and proof of service thereof; in the above-captioned matter.

Kind Regards,


Caleb L. McGillvary
In Propria Persona

ENCL:
CC: FILE

RECEIVED

AUG 21 2024

AT 8:30 M
CLERK, U.S. DISTRICT COURT - DNJ

Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G NJSP
PO Box 861 Trenton, NJ 08625

August 16, 2024

Hon. John Milton Younge, U.S.D.J.
15613 US Courthouse
601 Market St.
Philadelphia, PA 19106

RE: Caleb L. McGillvary v. Nicholas Scutari et al
Civil Action No. 1:23-cv-26605-JMY
Hon. John Milton Younge, U.S.D.J.


Dear Judge Younge;

In light of recent unforeseen developments, I'm writing to withdraw my motion to consolidate cases, ECF 7 & ECF 87. Chief Judge of the 3rd Circuit Chagares entered an order on July 26, 2024 designating a judge from the W.D.PA to hold a District Court in the D.N.J.; and assigning McGillvary v. Davis, Dkt. No. 1:22-04185-MRH to that judge. See Id. at ECF 40. This new development has mooted all my reasons for filing ECF 7 and ECF 87, and so I respectfully withdraw those two motions.

Thank

you for your consideration.

Respectfully Submitted,


Caleb L. McGillvary
In Propria Persona

CC: FILE

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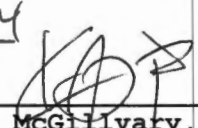
PROOF OF SERVICE

I, Caleb L. McGillvary, declare pursuant to 28 U.S.C. 1746 that on today's date, I placed in the institutional mailing system here where I'm incarcerated at NJ State Prison 3rd & Federal Streets Trenton, NJ 08625; with First Class Postage prepaid to be sent via USPS Mail; the original of my letter to Judge Younge withdrawing ECF 7 & ECF 87; in the above-captioned matter. to the Clerk of the District Court at USDC-DNJ US Courthouse 4th & Cooper Sts. Camden, NJ 08101-2797. Pursuant to the prison mailbox rule, these documents are constructively filed as of the date of mailing. Pursuant to DNJ Local Civil Rules, upon said filing the Clerk files Plaintiff's document into the CM/ECF system. See DNJ L.Civ.R. 5.2.2 ("All civil ... cases and documents filed in this Court, will be entered into the Court's ECF System in accordance with these Procedures."). Upon entry of a document in CM/ECF, notice of electronic filing thereof ("NEF"); is automatically thereby sent to all CM/ECF-participating parties. See DNJ L.Civ.R. 5.2.1(d) ("NEF is a notice automatically generated by the Electronic Filing System at the time a document is filed with the system..."). This NEF constitutes service upon all such parties. See DNJ L.Civ.R. 5.2.14(b)(1) ("Transmission of the NEF constitutes service of the filed document on Filing Users"). Therefore, pursuant to this Court's 3/21/24 order; ECF 12; on today's date I have also served a copy of each said document on all appearing captioned Defendants, who are represented by CM/ECF-user Counsel.

I hereby invoke the prison mailbox rule.

I declare under penalty of perjury that the foregoing statements made by me are true and accurate.

Executed this 16th Day of AUGUST, 2024


Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G NJSP
PO Box 861 Trenton, NJ
08625-0861

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TRENTON NJ 085

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CLERK
US DIST. CT - D. NJ
4TH & COOPER STS.
CAMDEN, NJ
08101 - 2797

08101-279797

LEGAL MAIL

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08625